

1 WHEREAS, Lead Plaintiff filed his First Amended Consolidated Complaint in this action on
2 October 11, 2007;

3 WHEREAS, Defendant Extreme Networks, Inc. ("Extreme") filed its Motion to Dismiss and
4 supporting papers on November 26, 2007, contending that Lead Plaintiff lacks standing to sue in this
5 derivative action and has not alleged facts showing that pre-litigation demand upon Extreme's Board
6 of Directors was excused as required under Federal Rules of Civil Procedure 23.1;

7 WHEREAS, Further to the Stipulation and Proposed Order filed by the parties on January 24,
8 2008, and not yet ruled upon by the Court, the parties have agreed that Lead Plaintiff shall no later
9 than February 25, 2008 file a Second Amended Consolidated Complaint, Defendants shall file and
10 serve an answer or motion attacking the Second Amended Consolidated Complaint no later than
11 April 10, 2008, and the hearing currently scheduled for March 14, 2008 is hereby VACATED;

12 THEREFORE, IT IS STIPULATED AND AGREED by Lead Plaintiff and Defendants,
13 through their respective counsel of record, and subject to the approval of the Court as follows:

14 **SCHEDULE**

15 The Case Management Conference currently scheduled for February 8, 2008 is hereby
16 VACATED, to be rescheduled to such date that the Court hears defendants' motions to dismiss Lead
17 Plaintiff's Second Amended Consolidated Complaint.

18 IT IS SO STIPULATED.

19 DATED: February 1, 2008

20
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25 Attorneys for Nominal Defendant Extreme
26 Networks, Inc.

27 I, Shawn A. Williams, am the ECF User whose ID and password are being used to file this
28 Stipulation and [Proposed] Order Continuing the Case Management Conference Currently
Scheduled for February 8, 2008. In compliance with General Order 45, X.B., I hereby attest that
Joseph E. Floren of Morgan, Lewis & Bockius LLP has concurred in this filing.

* * *

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 2/6/08

Ronald M. Whyte
THE HONORABLE RONALD M. WHYTE
UNITED STATES DISTRICT JUDGE

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STIPULATION AND [] ORDER CONTINUING THE CASE MANAGEMENT - C-07-
02268-RMW

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I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on February 1, 2008.

SHAWN A. WILLIAMS

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Manual Notice List

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